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THE LATE MR. R. NARAYANASWAMI AIYAR.

For THE MADRAS LAW JOURNAL, the year 1946 opens in mourning. Mr. Narayanaswami Aiyar, its Editor, Proprietor and Publisher, passed away on December 24, 1945. He became the sole proprietor of the Journal in 1914 and during the thirty odd years of his management, he not only maintained its reputation but also built up its prosperity beyond all anticipations of its early years. And now it passes on as a rich heritage into the hands of his son, Mr. N Ramaratnam, who is the grandson of one of the founders, Mr. V Krishnaswami Aiyar.

The history of THE MADRAS LAW JOURNAL will be found in the pages of the Journal for 1941 in a contribution by Sir P. S. Sivaswami Aiyar on the occasion of its Golden Jubilee Celebration. Two founder members dropped off in the first years and Mr. P. S. Sivaswami Aiyar who joined in 1893 having resigned on becoming Advocate-General in 1907, Mr. V. Krishnaswami Aiyar and Mr. P. R. Sundara Aiyar became sole proprietors of the Law Journal Mr. V Krishnaswami Aiyar became Judge in 1910. His sons were young, and Mr. R. Narayanaswami Aiyar, who had been enrolled as a vakil in 1908 and was working with him, took his place as joint proprietor. Mr. Sundara Aiyar became Judge in 1911 and his brother took his place. In 1914 Mr. Narayanaswami Aiyar bought him off and became sole proprietor. He was too young at the bar in 1914 and soon the Law Journal engrossed the whole of his attention and his connection with the legal world slowly came to centre round the Law Journal. He acquired a printing press in 1921 which not only facilitated the publication of the Journal but also enabled other successful ventures like the publication of the Civil Court Manuals, the Quinquennial

and Decennial Digests and Subject-noted Index of Cases. Recently he took over the publication of the Federal Law Journal. Years of conscientious work have built up for the publications of the Madras Law Journal Press a reputation for quality. The possession of the press has expanded the sphere of usefulness in other directions also. KALAIMAGAL, the Tamil Journal and a neat edition of the Ramayana in Devanagari with an index book of alphabetical list of verses may be specially mentioned.

Of Mr. Narayanaswami Aiyar, as a man, my knowledge begins with Mylapore. I knew his family from my early years. I knew his father as a man of tact and influence and position in Tiruvadamarudur. It is only six miles from my village. My recollections of his family are mixed up with the celebrated Pushyam festival of the place, including a most exciting car festival and ending with a musical entertainment in the local mutt by the most celebrated musician of the time and many a night of late and tired sleep in his street. As I said, my acquaintance with him began in Mylapore after his marriage, in 1908. Sparing in speech but free, easy and pleasant in manner when he spoke, of smiling countenance and youthful appearance and generally of placid temper Mr. Narayanaswami Aiyar was a popular figure in Mylapore. He was liked by all. He always looked younger than his age. On the celebration of his sixty-first birth day the comment was that he and his wife looked ten years younger than they were. He was generous and charitable in disposition. An insidious disease, unnoticed for a time, soon claimed its victim and neither operation nor the most recent remedies could save him. He knew his approaching end and the way he met the end on the day of his death attested to his essentially religious temper.

The Madras Law Journal now passes into the hands of Mr. Ramaratnam. If he inherited, in some measure, his father's power of organisation and management and his mother's and grandfather's courage and determination, it will not be difficult for him to manage the affairs of the Law Journal. After all no journal is run by one man. Mr. Ramaratnam is a Law Graduate, though he has not enrolled himself among the advocates. His father intended him to take his place as proprietor and publisher of the Law Journal. Since the days of its early editors, Mr. Narayanaswami Aiyar has sustained the level of the journal with the assistance of lawyers of eminence. Editorial work largely fell on Mr. (now Sir) S. Varadachariar till he

became a Judge, on Mr. B. Sitarama Row till he became a Government Pleader and on Mr. S. Venkatarama Aiyar till he became the Principal of the Law College of the Andhra University. The members of the Bar have great opportunities to raise themselves and raise legal studies to a high level by making valuable contributions to the pages of a Journal of such established reputation.

I am sure that Mr. Ramaratnam assisted as he will be by his uncles Mr. K. Balasubramania Aiyar and Mr. K. Chandrasekharan, who are both keen students of law, will find no difficulty in running the Madras Law Journal efficiently and successfully

T. R. V Sastri.

REFERENCE IN MADRAS HIGH COURT.

At the Madras High Court, before the Chief Justice and Mr. Justice Lakshmana Rao, a reference was made on 2nd January, 1946, by Mr. K. Rajah Aiyar, Advocate-General, to the death of Mr. R. Narayanaswami Iyer, *Proprietor and Editor* of The Madras Law Journal.

The Advocate-General said:—

"It is with profound regret that I have to convey to your Lordships the news of the death of Mr. R. Narayanaswami Iyer, an advocate of this Hon'ble Court. If Mr. Narayanaswami Iyer did not achieve name and fame in the active practice of the law, he certainly established a reputation in the field of legal journalism and legal publication. He was enrolled in the year 1908 having served his apprenticeship under the late Mr. V. Krishnaswami Iyer, (his father-in-law). He worked fo some time in his chambers until the latter's premature death Later he joined Sir P. S. Sivaswami Iyer and later still he worked in the chambers of Mr. S. Srinivasa Iyengar, where he was a junior when I myself entered that office.

But very soon in 1914 he became the sole proprietor of the Madras Law Journal and thereafter turned his attention and confined his activities and energies solely to that field. How great was his success therein is well-known to all of us. The Madras Law Journal under his able guidance has maintained a reputation second to none in the whole of India Copiously annotated and upto date Civil and Criminal Court Manuals, the Annual, Quinquennial and Decennial Digests, the innumerable text books published by the Madras Law Journal bear ample testimony to his ability For sometime he was a reporter, then the proprietor and latterly the editor of the Madras Law Journal He was a quiet and unassuming man of a retiring disposition, but at the same time he was unostentatiously generous. Quite a number of juniors who had come across him in his sphere of activities have reason to remember the ample and liberal help which he uniformly extended to them He leaves behind him a son who we trust will continue the traditions established by him".

The Chief Justice in associating himself with the sentiments expressed by the Advocate-General said :

"I and my learned brothers learn with deep regret of the death of Mr. R Narayanaswami Iyer and we wish to associate ourselves with the sentiments expressed by you, Mr. Advocate-General. He was not a prominent practitioner of this Court but he has played his part for many years in the administration of Justice. The Madras Law Journal with which he was connected has got a great reputation and throughout the time he was in control of it, he maintained a very high standard

We wish you to convey to the members of the bereaved family our condolences."

BOOK REVIEW.

HINDU LAW IN BRITISH INDIA, by S. V. Gupte, B A , LL.B , published by N M. Tripathi, Ltd , Law Publishers, Princes Street, Bombay, 1945, 1148 pages. Price Rs 22

Mr. Gupte's book runs on lines more or less similar to those followed by Sir Dinshaw Mulla in his presentation of the principles of Hindu Law In the preface he states that he has attempted to state " as many rules and principles of Hindu Law " as it was possible to rescue from the morass of cases and decisions," in the form of Articles not meant as a code but as a statement of the results arrived at by him from an analysis of the case law. It may at once be conceded that Mr. Gupte has achieved a considerable measure of success in this method of presentation. The enunciations are generally accurate and his examination of case law is minute The decisions down to the end of 1944 have been taken note of and in some cases decisions rendered up to May, 1945, have also been referred to. In some matters the propositions as stated sound debateable It is stated that a co-parcenary does not require any nucleus of property. Co-parcenary is really a tenure and the explanation thereof in *Abraham's case* clearly contemplates the existence of property The meaning of " rina " found in *Nachimuthu's case*[1] as covering a wider range than the word " debt " and as therefore enlarging the scope of the son's pious obligation is set out on page xxv, but it is doubtful whether such a view could stand unqualified having regard to certain observations of the Privy Council in *Akhara Udasi Nirwani* v. *Surajpal Singh*[2]. It is observed on page 890 that anuloma marriages are not valid in Calcutta and the decision in *Nalinaksha* v *Rajani*[3] is cited in support. In that case itself on page 1399 it is observed " a marriage between a Brahmin and a Sudra woman though not an approved type of marriage is still a marriage and the children are legitimate." In regard to the share which an adopted son can claim when he co-exists with an after-born aurasa son of the adoptive father, three different enunciations are made At page 274 it is stated that he takes *half* the share of the natural son in Madras among dwijas At page 466 it is laid down that he takes *one third* the share of the aurasa son and at page 276 it is observed that his share is *one fourth* of that of the natural son.

In regard to the treatment of the principles Mr Gupte has divided the subject into five " Books " Book I gives a general introduction , books II and III deal with the principles relating to property , book IV deals with status and book V with a number of miscellaneous topics The texts of the important enactments modifying pure Hindu Law are also given in the form of appendices at the end of the discussion relating to each topic, with comments on the sections This is a feature of the book which is sure to enhance its utility The publication is a valuable addition to the list of books on Hindu Law and is sure to be highly helpful to lawyers and students alike

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2. (1944) 2 M L J 395.
3. I L R 58 Cal. 1382.

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